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AUTHOR Kraig, Glen M.
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ABSTRACT

Collective bargaining between teachers and educational administrators has frequently had negative effects on the climate of school supervision and administration, but this need not always be the case. Before collective bargaining, teachers as a group were powerless over their pay and working conditions. Now many teachers feel that collective bargaining has improved their relationships with school administrations. Most state statutes legalizing teacher collective bargaining, such as Tennessee's Professional Negotiations Act, call for mutual respect between school boards and unions to help maintain high educational standards. In reality, however, collective bargaining has often led to alienation and hostility between teachers and administrators. This hostility has made school supervision more difficult, for instance in curriculum change, teacher evaluation, and principal-teacher relations. Studies show that collective bargaining does not always threaten principals' supervisory functions, but the mutual distrust often engendered by collective bargaining can hamper principals' efforts at problem solving and at maintaining working relationships with both teachers and district administrators. If teachers and administrators take a team approach, however, they can reduce the potential conflict and adversarial relations in collective bargaining. (RW)

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East Tennessee State University

Effects of Collective Bargaining on the Climate of
Administration and Supervision

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Supervision - Principles and Practices

July 6, 1981

Glen M. Kraig

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G.M. Kraig

Introduction

The purpose of this paper is to make the reader aware of some of the problems that have arisen since the advent of collective bargaining. I realize that this can be a sensitive topic due to the fact that it touches home with all individuals involved with education in the public sector.

Many teacher associations across the nation are debating whether they should begin this process while many administrators are pondering the idea of how they can eliminate it. Why should there be this controversy? Why is it seen by some as the salvation of education and by others as its ruination? The author does not intend to attempt to influence the reader with his own opinions, but rather he wishes to present the facts surrounding this dilemma to the reader so that more informed opinions might be formulated. The author has, however, interdispersed several thoughts which, he feels, could help to make the negotiations process run a bit more smoothly.

The Effects of Collective Bargaining on the Climate of Administration and Supervision

Before any meaningful discussion of the effect collective bargaining and the negotiations process have had on the roles of supervisors and administrators it is necessary to have an understanding of what collective bargaining is and why it evolved.

Collective bargaining (sometimes called bi-lateralism) may be defined as a process through which employees select a representative who deals with management within a systematic framework to seek agreement on the terms and conditions of employment.¹

In effect, it can be said that collective bargaining is one form of labor relations. While it is true that most educators consider themselves to be professionals and not "labor" in the true sense of the word, the mere fact that the professional "is an employee puts him in the position of being a supplicant, not an equal."² It is because of this inequality that many educators have found a need for collective bargaining and hence, a need for some form of labor relations.

One of the stated purposes of labor relations is to "avoid capriciousness" in the treatment of employees.³ It would appear that since uniform rules for the treatment of payment and discipline are a part of every labor agreement many educators

must have felt that they were not receiving fair and equitable treatment, treatment which a professional feels he is due.⁴ The individual professional feels that he has lost, or is in danger of losing, all control of the job, the nature of the work assignment, methods and even the pace of his teaching. This, in conjunction with the fact that many teachers feel that too often the individual's advancement has become dependent more on favoritism or politics than on professional achievement,⁵ has forced educators to seek equitable solutions at the negotiations table.

Before the emergence of collective bargaining in the 1960's, teachers, as a collective body were, for the most part, powerless within the educational structure. As public employees teachers had been grossly underpaid, overworked, and frequently subjected to restrictions on their personal lives as a condition of employment.⁶ Due to these conditions it has become increasingly necessary for professional people to magnify their collective voice so that their professional and economic concerns are properly and forcefully placed before management and the general public.⁷

Since collective bargaining is a relatively new innovation in the field of public education it is difficult to estimate the impact that it has had on the overall climate in our public schools, however, many teachers do feel that "collective bargaining has been essential in helping them (teachers) to exercise their professional judgment in the face of bureaucratic opposition."⁸

Although statutes vary from state to state, Tennessee's Professional Negotiations Act is, in both content and scope, very similar to the statutes throughout the rest of the nation.

The Statement of Purpose in Public Charter 570 states:

It is the purpose of this Act to prescribe the legitimate rights and obligations of boards of education and their professional employees and to establish procedures governing relationships between them which are designed to meet the special requirements and needs of public education.

Boards of education and their professional employees have an obligation to the public to exert their full and continuing efforts to achieve the highest possible educational standards in the institutions which they serve. . . . Experience has shown that boards of education and their professional employees can best reach these objectives if each utilizes the ability, experience, and judgment of the other in formulating policies and making decisions that involve terms and conditions of professional service and other matters of mutual concern . . . (and) to engage in other activities for the purpose of establishing, maintaining, protecting and improving educational standards, and to establish procedures which will facilitate and encourage amicable settlements of disputes.⁹

As lofty as these sentiments are, the reality of collective bargaining has not reached this idealistic view of "amicable settlements." Rather than the harmony that the PN Law implies, there has been even further alienation and separation between professional staffs and administrators, and these divergent attitudes have caused considerable hostility. On one side it is stated that "Union domination will make it virtually impossible for educational managers to make the changes that must be made for the benefit of students and the community,"¹⁰

while the other side counters that "through the collective voice of one teacher organization, designated by its members as the sole collective bargaining agent, relevant goals can be developed and changes in curriculum and programs negotiated."¹¹

It is easy to see the division that has occurred over this delicate matter, but it is difficult to point one's finger at either side and say which is to blame for this rift. In reality "both teachers' unions and school boards contribute to these elements (of division), which result in a polluted and paranoid environment characterized by mistrust, retaliation and closed relationships, in which interaction becomes defined in terms of winning, defeating and saving face."¹² Ideally, both sides, association and management should be working together in a unified attempt to improve the educational environment and facilitate student learning. While this is the ideal, it is seldom the case. Unfortunately "there is more concern about who makes the decisions than there is about the context of the decisions themselves. There is more debate about who does the planning than there is about the nature of the planning itself."¹³ One account of the negotiations process, written in Biblical terms, is as follows:

There shall be Conflict in The Land. The Board and The Union shall clash with such force that there shall be no Good Will between them. The Board shall interpret its Role by The Letter of The Law and The Union shall say "Nay." And The Letter of The Contract shall be read in The Land. Factions within the warring parties shall develop to war among themselves, and there shall be no Morale . . . Yea, Minimum Acceptable Behavior

permeated The Atmosphere and The Seed of Indifference took root.¹⁴

While this is an amusing view of the collective bargaining procedure, the ramifications of this atmosphere of hostility are not so amusing. The administrative view is that the board must assume a "predominately defensive strategy" as they attempt to "protect the management prerogative of the board and the administration in the district."¹⁵

There is a general consensus among educators that curricular change is a process that should involve both supervisor and teacher in order that greater input and unity will result. The mistrust and the animosity that has developed concurrent with the collective bargaining process has virtually destroyed this concept. Many administrators feel that teachers "must believe that the change is advantageous, not just for the students, but for their own personal and collective benefit."¹⁶ It is almost impossible for an educational system to grow and adapt to an ever-changing environment in this atmosphere of mistrust.

What makes matters worse is that this feeling of animosity has continued in the schools away from the negotiations tables. With the advent of collective bargaining, teacher evaluations, which "have always been viewed as a positive self renewal process to help instructional personnel become more effective in the classroom" has reverted into the "gotcha process."¹⁷ Teachers fear being caught doing something in the classroom that violates

some provision in the contract and then, during evaluation, the principal will say "Aha, I got you for . . ." ¹⁸

The matter is even further complicated by the fact that the elements of mistrust extend to both sides of the negotiations table. Many members of the associations' teams feel that the "board negotiator is also involved with political compromise and self interest." ¹⁹ They feel that the board negotiator is "solely concerned with preserving the central school administrator's power" which may not "protect or advance the interests of the students." ²⁰ This kind of an attitude can effectively block out any "potentially positive forces that could be mobilized in the collective bargaining process." ²¹

Problems within the school system will continue to multiply if these situations of mistrust are not promptly rectified. "The overall effectiveness of collective bargaining, as a mechanism for resolving employee problems, is considerably reduced when the parties assume adversary relationships." ²² The intended effect of improved cooperation and educational enrichment will never be realized "unless the militant adversarial posture created by collective bargaining is overcome by teachers and administrators." ²³

These adversarial relationships extend throughout all phases and levels of the public school system. Principals consider themselves to be in a particularly awkward position. It is indeed unfortunate that the once "widely

held concepts of instructional teams of teachers and principal working cooperatively for the good of students are rapidly being supplanted by the adversarial relationships of labor and management."²⁴ The current trend indicates that this condition, rather than improving, will intensify and the "working relationship between principals and teachers will become increasingly adversary."²⁵ As this occurs "the educational program for children will suffer as decisions are made more on political and economic grounds than on the basis of what is educationally sound."²⁶ Teachers will not be able to look upon their principals as sources of instructional support, but rather as a "potential threat to job security, professional status and economic advancement."²⁷

A majority of school administrators believe that collective bargaining will have a strong negative effect on the leadership potential of the principal. The general consensus is that through the negotiation process the "already limited prerogatives and decision making discretion (of the principal) will be bargained away."²⁸ Perhaps the group who would be most affected by the negotiations procedure would be those "who have no proclivity toward participative leadership or who only superficially engage in participative management . . . "²⁹ These authoritative principals would "find that their leadership style simply is incompatible with the dictates of managing a school under a district contract."³⁰

As unfortunate as this state of affairs has become, it need not be so. Studies have indicated that principals who maintain, throughout the bargaining process, a "concern for improvement of the total educational process will be able to retain an intact reputation."³¹ It is through mutual concern and cooperation that both sides will be able to continue to function jointly as a united educational unit.

As time progresses bargaining contracts are beginning to provide "for increased faculty participation in planning, budgeting and many other aspects of institutional operation."³² It has become common "for teacher organizations to persist in demanding . . . that all matters of curriculum be negotiated."³³ Many supervisors feel that "curricular development is becoming increasingly more constrained as the negotiations process, with its priorities on job security and salary benefits, broadens to include more 'legitimate instruction related issues'."³⁴

Recently a study was concluded which investigated master contract clauses and their impact on supervisors. It was concluded "that supervisors are not prohibited by contract language from fulfilling their supervisory responsibilities" and "that contract clauses pose little direct threat to supervisors."³⁵ From their views one could conclude that collective bargaining has had no effect on the function of school supervisors. This conclusion, however, is incorrect. "While contract language does not pose a direct threat, the

process of negotiations can be a potent influence on supervision through the organizational climate it can create."³⁶ The process of negotiations involves the use of certain "power tactics." These tactics, although the actual language of the contract may be benign, cause a "negative school climate to develop" which can be "cancerous to productive and progressive programs of supervision."³⁷ The mere process of "hammering out a contract" can cause a multitude of negative and hostile attitudes.³⁸

Successful school supervision can only occur in a setting of mutual trust and respect. A supervisor must be able to interact with his faculty and this interaction must be "honest, open, candid, supportive and productive."³⁹ These emotions, however, become victims in the arena of collective bargaining."⁴⁰ The supervisor's role is directly opposite to the situations that one finds in collective bargaining. One of the primary functions of a supervisor is problem solving which is, thinking rather idealistically, one of the expressed intents of the collective bargaining process. These activities, however, could not possibly be more different. Problem solving from the supervisors role is "an analytical activity" while in negotiations it is seen by the supervisor to be a struggle where "both parties stake out positions and attempt to win compromises from the other party in an effort to reach a 'settlement'."⁴¹ Ideally, the supervisor would want to settle disputes in a more harmonious manner by mutually defining and examining "all potential solutions and alternatives" and select "the best approach based upon the

needs of the clients."⁴²

Many supervisors feel that they are being placed in the middle between two warring camps. They realize that in order to be professionally effective they must maintain a positive, working relationship with both the teachers and the administration. The situation in which many supervisors find themselves is something akin to a nation remaining neutral when two of its allies are engaged in a war. They do not know with which side they should ally themselves. They realize that "teachers will not respond positively to a supervisor whose role becomes keeping teachers 'in line' because of bargaining disputes"⁴³ yet in all practicality they must be "concerned with their own security"⁴⁴ within the school system. One supervisor described the situation as follows:

The possibilities for developing helping relationships between supervisor and teacher become proportionately diminished as militant teachers' unions try to discredit the school administration and as school boards become more involved in the daily operation of schools.⁴⁵

Although collective bargaining has brought about numerous problems it is not necessarily an evil which should be avoided. Although there are people within the public school sector who feel that "collective bargaining will clearly have identifiable and negative effects" these people will not be able to "find support for that position."⁴⁶ After thorough investigation one will find that the results and effects of negotiations are dependent upon the climate in which the process occurs. It is

obvious that if "an administrator chooses to play the hard line manager who uses the contract to beat teachers into submission, the association representing the teachers of that system will create an image depicting the administration as inflexible, vindictive, and unreasonable."⁴⁷ A team approach, however, has been shown "to significantly reduce the conflict and the adversarial relationships during the negotiations conflict."⁴⁸

Both teams must realize that they are, in actuality, playing for the same team, one that serves to benefit the students. If the students are to benefit, both teacher organizations and administrators must work together in a spirit of harmony and good faith. Through "mutual concern and compromise" both parties should be able "to work together during and after negotiations" with the singular desire of building a better school system and instructional climate for all concerned.⁴⁹

Endnotes

¹Charles T. Kerchner, "The Impact of Collective Bargaining on School Governance," Education and Urban Society, February, 1979, pp. 184-85.

²Dennis Chamot, "The Effect of Collective Bargaining on the Employee - Management Relationship," Library Trends, October, 1976, p. 491.

³Ibid., p. 195.

⁴Ibid.

⁵Chamot, "Employee - Management Relationship," p. 489.

⁶Charles W. Cheng, et al, "Framework for Citizen Involvement in Teacher Negotiations," Education and Urban Society, February, 1979, p. 223.

⁷Chamot, "Employee - Management Relationship," p. 489.

⁸Ibid., p. 490.

⁹Tennessee, Public Charter Number 570 Professional Negotiations Act (1978), title 49, sec. 2.

¹⁰Keith P. Eiken, "Teachers' Unions and the Curriculum Change Process," Educational Leadership, December, 1977, p. 175.

¹¹Ibid.

¹²Janet R. Vyskocil and George A. Coens, "Collective Bargaining and Supervision - A Matter of Climate," Educational Leadership, November, 1979, p. 176.

¹²Fred E. Crossland, "Faculty Collective Bargaining: Impact on Planning," Intellect, August, 1977, p. 70.

¹⁴Jane M. Denner, "A Book of Revelations," National Association of Secondary School Principals Bulletin, September, 1975, pp. 39-40.

¹⁵Ronald F. Stone, "Board - Administrative Teamwork in Collective Bargaining," NASSP Bulletin, September, 1975, p. 111.

¹⁶Ronald F. Stone, "The Principal as Chief Negotiator: Some Concerns for the Supervision of Teachers," Educational Leadership, April, 1978, p. 578.

¹⁷Ibid., p. 579.

¹⁸Ibid.

¹⁹Cheng, "Framework," p. 221.

²⁰Ibid.

²¹Fran LaMountain, "A System for Non-Adversarial Collective Bargaining," Thrust for Educational Leadership, November, 1976, p. 26.

²²Ibid., p. 25.

²³Stone, "Some Concerns," p. 578.

²⁴Ibid., p. 577.

²⁵Richard C. Williams, "The Impact of Collective Bargaining on the Principal - What Do We Know?," Education and Urban Society, February, 1979, pp. 168-69.

²⁶Ibid.

²⁷Stone, "Some Concerns," p. 579.

²⁸Williams, "The Impact," p. 162.

²⁹Ibid., p. 173.

³⁰Ibid.

³¹Stone, "Some Concerns," p. 577.

³²Crossland, "Faculty Collective Bargaining," p. 69.

³³John Ralph Pisapia and Jack D. Sells, "Administrative Protections in Negotiated Contracts," NASSP Bulletin, November, 1978, p. 47.

³⁴Eiken, "Teachers' Unions," p. 174.

³⁵Vyskocil, "A Matter of Climate," p. 175.

³⁶Ibid.

³⁷Ibid., p. 176.

³⁸Ibid., p. 175.

³⁹Ibid., p. 176.

⁴⁰Ibid.

⁴¹Ibid.

⁴²Ibid.

⁴³Ibid., p. 177.

⁴⁴Ibid., p. 176.

⁴⁵Ibid.

⁴⁶Williams, "The Impact," p. 175.

⁴⁷Stone, "Some Concerns," p. 577.

⁴⁸Richard C. Richardson and Kenneth P. Mortimer,
"Collective Bargaining and the Redefinition of Administrative
Roles," Educational Record, Fall, 1978, p. 342.

⁴⁹Ibid., p. 344.

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